

§ 603.6 Requests for amendment of records.

(a) An individual may request amendment of a record pertaining to that individual by sending a written request to the Privacy Act Officer, U.S. Arms Control and Disarmament Agency, 320 21st Street, NW., Washington, DC 20451. The request should identify the record sought to be amended, specify the precise nature of the requested amendment, and state why the requester believes that the record is not accurate, relevant, timely or complete.

(b) Not later than ten (10) days after receipt of such request (excluding Saturdays, Sundays and legal holidays), the Privacy Act Officer shall promptly:

(1) Make any correction of any portion of the record pertaining to the individual which the Agency considers appropriate; and

(2) Inform the requester in writing of the action taken by the Agency, of the reason for refusing to comply with any portion of the request, and of the procedures established by the Agency to consider requests for review of such refusals.

(c) The Privacy Act Officer will refuse to amend a record if the information therein is deemed by the Agency:

(1) To be relevant and necessary to accomplish a purpose of the Agency required to be accomplished by statute or by executive order of the President; and

(2) To be maintained with such accuracy, relevance, timeliness and completeness as is reasonably necessary to assure fairness to the individual in making any determination about the individual; and

(3) Not to describe how the individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual about whom the record is maintained.

(d) When the Privacy Act Officer agrees to amend a record, written notice that the record has been amended and the substance of the amendment will be sent to the last known address of all previous recipients of that record shown in Agency's Privacy Act Requests File.

§ 603.7 Appeals from denials of requests.

(a) An individual who disagrees with the refusal of the Privacy Act Officer to disclose or amend a record may request a review of such refusal within 30 days of receipt of notice of the refusal. Such request should be addressed to the Deputy Director, U.S. Arms Control and Disarmament Agency, 320 21st Street, NW., Washington, DC 20451, and should include a copy of the written request that was refused, a copy of the denial complained of, and reasons for appeal from the denial.

(b) Review shall be made by the Deputy Director on the submitted record. No personal appearance, oral argument, or hearing shall be permitted.

(c) Review will be completed and a final determination made not later than 30 days (excluding Saturdays, Sundays and legal holidays) from the date on which the request for such review is received. This 30-day limitation may be extended, at the discretion of the Agency for good cause shown. The requester will be notified in writing of the Agency's final determination.

(d) If, after completion of the review, the Deputy Director also refuses to disclose or amend the record as requested, the notice to the individual will advise the individual of the right to file with the agency a concise statement setting forth the reasons for disagreement with this refusal.

(e) When an individual has filed with the Agency a statement of disagreement following a refusal to amend the record as requested, the Agency will clearly note that portion of the record that is disputed and will send copies of the statement of disagreement to the last known address of all previous recipients of the disputed record shown in the Agency's Privacy Act Requests File.

§ 603.8 Exemptions.

(a) As authorized by the Act, the following categories of records are hereby exempted from the requirements of sections (c)(3), (d), (e)(4) (G), (H) and (I), and (f) of 5 U.S.C. 552a, and will not be disclosed to the individuals to which they pertain:

(1) System of Records of ACDA-4—Statements by Principals during the